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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,221	02/15/2002	Erich Horn	SWR-0077	3123

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EXAMINER

YAM, STEPHEN K

ART UNIT PAPER NUMBER

2878

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/077,221

Applicant(s)

HORN ET AL.

Examiner

Stephen Yam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-13, 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 14, 2005 has been entered. Claims 1-5, 7-13, and 15-16 are currently pending.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the marking of the areas of deviation that prompted the negative automatic decision regarding acceptance during the generating of the image (recited in Claims 1 and 7) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the

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drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Objections*

3. Claims 1 and 7 are objected to because of the following informalities:

In Claim 1, line 13, "the areas of deviation" lacks proper antecedent basis.

In Claim 7, lines 16-17, "the areas of deviation" and "the deviation of authenticity parameters" lacks proper antecedent basis.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 16 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that

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the inventor(s), at the time the application was filed, had possession of the claimed invention.

The specification does not disclose a device for suspending a service and/or a product.

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3, 5, 7-13, and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stratigos et al. US Patent No. 5,537,486 in view of Paraskevako's US Pre-grant Publication No. 2004/0131230.

Regarding Claims 1-3, 5, 7, 8, 10, 11, and 15, Stratigos et al. teaches (see Fig. 3) a method and device for performing a test for acceptability in the reception of bank notes (see Col. 2, lines 6-10 and Col. 4, lines 23-26), a transport/feed unit (within (27)) feeding a bank note (see Col. 3, lines 32-33), transporting (see Col. 3, lines 32-35) said bank note to a digitalization station (27) via a transport unit (handling unit for scanning the checks or currency- see Col. 3, lines 35-40), at least partially digitizing the bank note to create digitized data (see Col. 3, lines 42-53), comparing the digitized data with a stored data of bank notes belonging to a currency system scanned in ahead of time in a computer unit (29) (see Col. 1, line 63 to Col. 2, line 1 and Col. 3, line 60 to Col. 4, line 11), and rendering an automatic decision regarding acceptability (see Col. 2, lines 4-5 and Col. 3, line 65 to Col. 4, line 13), if the automatic decision regarding acceptability is negative (see Col. 4, lines 12-14), an image display unit (monitor in operator

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terminal (31)- see Fig. 3) generating an image of the digitized data in order to allow its visual inspection by a service employee (see Col. 2, lines 1-5 and Col. 4, lines 12-15), who then renders a final decision regarding acceptability (see Col. 2, lines 1-5), and during the generating of the image, automatically marking the areas of deviation that prompted the negative automatic decision regarding acceptance (see Col. 4, lines 28-33). Regarding Claims 2 and 8, Stratigos et al. teach the digitizing of the bank note is accomplished by scanning (see Col. 3, lines 32-40). Regarding Claim 3, Stratigos et al. teach performing an image data comparison in the form of data comparison (see Col. 3, line 60 to Col. 4, line 11). Regarding Claims 5 and 11, Stratigos et al. teach the service employee via keyboard input (see operator terminal (31) having keyboard input in Fig. 3) registers the final decision regarding acceptance. Regarding Claim 10, Stratigos et al. teach the image display unit as a monitor (see Fig. 3). Stratigos et al. do not teach the computer unit performing a determination of value, or the method or device used in automatic vending machines configured to receive a bank note and provide payment for products and services. Regarding Claims 7 and 15, Stratigos et al. do not teach a unit for returning, advancing, collecting, and stacking the bank notes. Paraskevagos teaches a similar method and device, wherein a test for acceptability of bank notes is performed by digitizing the bank note (see paragraph 0011) in a computer unit (running OCR software- see Paragraph 0011-0012), with the computer unit performing a determination of value ("denomination numbers"- see Paragraph 0013), wherein the method and device is used in either an automatic teller machine or an automatic vending machine configured to provide payment for products and services ("pay bill machine", "vending machine", "video vending machine", "currency exchange machine"- see paragraphs 0010 and 0050-0056), with a unit (see Figs. 5 and 6) for returning (see Paragraph

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0063-0065), advancing (see Paragraph 0062-0063), collecting (see Paragraph 0062-0063), and stacking (see Paragraph 0062-0063) the bank notes. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the method and device of Jones et al. with the computer performing a determination of value, for an automatic vending machine configured to provide payment for products and services, with a unit for returning, collecting, advancing, and stacking the bank notes, as taught by Paraskevakos, to provide authentication and verification for public bank-note/currency transaction machines to prevent accepting counterfeit currency in such machines.

Regarding Claim 9, Stratigos et al. in view of Paraskevakos teach the device in Claim 7, according to the appropriate paragraph above. Stratigos et al. also teach using various scanning systems including CCD array systems (see Col. 3, lines 42-45), which are also used in digital cameras. Jones et al. do not teach the digitalization unit as a digital camera. It is well known in the art to use a digital camera to capture visual information on a subject of interest. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a digital camera for the digitalization unit in the method of Stratigos et al. in view of Paraskevakos, to provide increased speed and detail of the bank note data over conventional scanner systems through instantaneous two-dimensional image capture.

Regarding Claims 12 and 13, Stratigos et al. in view of Paraskevakos teach the device in Claim 7, according to the appropriate paragraph above. Stratigos et al. do not teach supplementary signal units for optical and/or acoustic indicators. Paraskevakos also teaches supplementary signal units for optical and/or acoustic indicators (see Paragraph 0048 and 0072). It would have been obvious to one of ordinary skill in the art at the time the invention was made

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to provide supplementary signal units for optical and/or acoustic indicators as taught by Paraskevagos in the device of Stratigos et al. in view of Paraskevagos, to provide multiple sensory outputs to accommodate visual or hearing-impaired customers, and to more easily capture the attention of the customer.

Regarding Claim 16, Stratigos et al. in view of Paraskevagos teach the device in Claim 7, according to the appropriate paragraph above. Stratigos et al. do not teach a device for suspending a service and/or a product. Paraskevagos also teaches a device for suspending a service and/or a product (see Paragraph 0072). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a device for suspending a service and/or a product as taught by Paraskevagos in the device of Stratigos et al. in view of Paraskevagos, to prevent counterfeit currency from being used to purchase the service or product.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stratigos et al. in view of Paraskevagos, further in view of Stinson et al. US Patent No. 6,695,204.

Regarding Claim 4, Stratigos et al. in view of Paraskevagos teach the method in Claim 1, according to the appropriate paragraph above. Stratigos et al. do not teach if the automatic decision is negative, performing a detailed inspection of adjustable parameters, in order that a preliminary decision between a direct rejection of the bank note and a final decision by a service employee may be rendered automatically. Stinson et al. teach (see Abstract) a similar method of rendering an automatic decision regarding acceptability of a bank note and allowing a visual inspection by a service employee, whereby, if the automatic decision is negative (either



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"automatically reject" or "intervention"- see Col. 3, lines 54-63), a preliminary decision between a direct rejection ("automatically reject"- see Col. 3, lines 54-63) of the bank note and a final decision by a service employee ("intervention criteria"- see Col. 3, lines 54-63) may be rendered automatically. It is also well known in the art to adjust the brightness and contrast in a scanned image to improve the detectability of image patterns or to adjust operation parameters according to the varying operation of the device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to operate such that if the automatic decision is negative, performing a detailed inspection of adjustable parameters, in order that a preliminary decision between a direct rejection of the bank note and a final decision by a service employee may be rendered automatically, as taught by Stinson et al. in the method of Stratigos et al. in view of Paraskevagos, to optimize the scanning process and prevent unnecessary use of human intervention in a mostly-automated process when a bank note is clearly unacceptable.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1-5, 7-13, and 15 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Yam whose telephone number is (571)272-2449. The examiner can normally be reached on Monday-Friday 8:30am-5pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on (571)272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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KHANH X. LUU  
PATENT EXAMINER